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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,790	10/18/2006	Naohiro Kamiya	Q94147	7998
23373 7590 05/08/2009 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER SZEWCZYK, CYNTHIA				
ART UNIT		PAPER NUMBER		
1791				
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05/08/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/573,790

**Applicant(s)**

KAMIYA ET AL.

**Examiner**

CYNTHIA SZEWCZYK

**Art Unit**

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over FORKER JR et al. (US 3,773,489) in view of AZOM (Dealing with Used Salt from Salt Furnaces) and BEHNER (Potassium Dichromate).

FORKER teaches a chemical strengthening treatment wherein a glass disk is brought into contact with molten salt (col. 1, lines 12-16) as in instant claims 1 and 4. FORKER teaches that the salt may be  $K_2Cr_2O_7$  or KCl-  $K_2Cr_2O_7$  mixture (col. 4, lines 19-21). FORKER states that the salt is in a molten state, which implies that the salt was initially solid and melted down. FORKER is silent to the method of preparing the molten salt bath.

AZOM teaches that it is well known in the art that salt baths are prepared by adding granular salt to the bath and melting the salt (p. 2). It would have been obvious to one of ordinary skill in the art that the method of FORKER would have prepared the salt in the manner of AZOM because AZOM discloses that the salt bath is for heat treatments (p. 1). FORKER and AZOM are silent to the granular salt dimensions.

BEHNER teaches that granular potassium dichromate may be grown to a grain size of up to 3 cm, which would incorporate the range of instant claim 1. It would have been obvious to one of ordinary skill in the art to restrict the range further by experimentation in order to optimize melting rates.

Regarding claim 2, granular  $K_2Cr_2O_7$  may be formed by a limited number of ways including compacting or shaping powders. AZOM discloses that the salt is in granular form before melting, therefore it can be assumed that the salt is shaped beforehand in order to produce a granular form.

Regarding claim 3, FORKER discloses that the glass may be aluminosilicate glass (col. 4, lines 1-4).

Regarding claim 4, see the discussion of claim 1.

Regarding claim 5, FORKER discloses that a magnetic film may be applied to the glass substrate after strengthening (col. 3, lines 64-68).

Regarding claim 6, see the discussion of claim 2.

Regarding claim 7, see the discussion of claim 3.

Regarding claim 8, see the discussion of claim 5.

Regarding claim 9, see the discussion of claim 3.

Regarding claim 10, see the discussion of claim 5.

Regarding claim 11, it would have been obvious to one of ordinary skill in the art that the weight of the salt would be dependent on the density and size of the salt. It would have been obvious to one of ordinary skill in the art that the claimed range could have been reached while adjusting the grain size range by experimentation in order to optimize melting rates.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CYNTHIA SZEWCZYK whose telephone number is (571)270-5130. The examiner can normally be reached on Monday through Thursday 7:30 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on (571) 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Carlos Lopez/  
Primary Examiner, Art Unit 1791  
CS